

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Circular, translation from Spanish) "We recommend the use of '555' several days after the cough has ceased in order to insure a permanent cure. \* \* \* for older or more serious affections we recommend the large-sized bottle \* \* \* For cough in an advanced stage, such as chronic bronchitis and for the dry cough that remains after an attack of grippe or influenza \* \* \* Calcium and Creosote act as reconstituents for weak persons and for persons susceptible to affections of the respiratory tract and tuberculosis. \* \* \* Syrup '555' is an ideal \* \* \* antiseptic and reconstituent for pulmonary affections."

On May 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18538. Adulteration and misbranding of ether. U. S. v. One hundred and thirteen 1-Pound Cans of Ether. Default decree of condemnation and forfeiture. Product ordered destroyed or released to Federal agency. (F. & D. No. 26178. I. S. No. 28271. S. No. 4490.)**

Tests of ether from the shipment herein described having shown that certain samples fell below the requirements of the United States Pharmacopoeia in that they contained greater proportions of acid and of nonvolatile material than are permitted by the United States Pharmacopoeia, the Secretary of Agriculture reported the matter to the United States attorney for the western district of Pennsylvania.

On April 6, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of one hundred and thirteen 1-pound cans of ether, remaining in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped by the J. T. Baker Chemical Co., from Phillipsburg, N. J., on or about March 17, 1931, and had been transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Ether \* \* \* U. S. P. X."

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by the tests laid down in the said pharmacopoeia official at the time of investigation, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Ether \* \* \* U. S. P. X.," was false and misleading.

On May 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal, or released, upon request, to this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18539. Misbranding of Cow-Calf compound. U. S. v. 29 Bottles of Cow-Calf Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 26201. I. S. No. 24476. S. No. 4510.)**

Examination of a drug product, known as Cow-Calf compound, having shown that certain statements appearing on the bottle label and in the circular, and testimonials accompanying the article, represented that it possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported to the United States attorney for the southern district of Illinois the shipment herein described, involving a quantity of the product located at Armington, Ill.

On April 10, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 29 bottles of Cow-Calf compound at Armington, Ill., alleging that the article had been shipped by Dr. Warren A. Bozarth (formerly Froberg Remedy Co.), from Valparaiso, Ind., on or about March 24, 1931, and had been transported from the State of Indiana into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of phenol (2.6 per cent), traces of calcium chloride and calcium hypochlorite, and water.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative and therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "Cow-Calf Compound A Purifier Nine Treatments for One Animal;" (circular) "Cow-Calf Control (C. C. C.) Cow Calf Control is used to combat contagious abortion and is put out under the absolute binding guarantee that it will stop every case of abortion—that every cow treated will deliver a healthy, normal calf, or the treatment cost is refunded—C. C. C. has proven practically 100% successful. If you are troubled with contagious abortion in your herd, write today for literature and prices on C. C. C. \* \* \* [Testimonials] About a year ago I Used your Cow-Calf Control Treatment on abortion and have to say that I had excellent results. I had one cow among my herd which aborted two or three times and the last time I had to get the foetus removed by a veterinarian. \* \* \* I used your abortion treatment and this same cow has a good healthy calf now as good as any time before. My cows were served only once after I had used your treatments and all came with calf. I cannot praise your treatments high enough for I had such excellent results from it. All the veterinarians around here whom I consulted told me to dispose of my entire herd and there is no cure for abortion."

On May 21, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18540. Misbranding of Dipsol. U. S. v. 4% Dozen Bottles of Dipsol. Default decree of condemnation and destruction. (F. & D. No. 26265. I. S. No. 28272. S. No. 4559.)**

Examination of a drug product, known as Pipsol, from the shipments herein described having shown that the carton and bottle labels and the accompanying circular bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the western district of Pennsylvania.

On April 23, 1931, the United States attorney filed in the district court of the United States for the district aforesaid a libel praying seizure and condemnation of 4% dozen bottles of Dipsol, remaining in the original unbroken packages at Washington, Pa., alleging that the article had been shipped by the Bessell Chemical Co., from Hackensack, N. J., on or about March 21, 1931 (in part on April 3, 1931), and had been transported from the State of New Jersey into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of potassium chlorate (2 per cent), citric acid (2.6 per cent), and water (95.4 per cent).

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "The Little Specialist for Sore Throat, Mouth Troubles, Tonsillitis, Baby's Sore Mouth \* \* \* Aids in Prevention of Influenza and Diphtheria;" (circular) "The Little Specialist for Sore Throat, Mouth Troubles, Tonsillitis, Baby's Sore Mouth \* \* \* Tickling Cough, Apthea, Thrush and Spru \* \* \* for Sore Throat. A quick, safe and soothing antiseptic relief for Sore Throats. Quinsy Sore Throat, Smoker's Sore Throat, Tonsillitis, Coryza, all Mouth Troubles, Apthea, Thrush, Spru, Tickling Cough, \* \* \* Baby's Sore Mouth \* \* \* Aids in Prevention of Influenza, Diphtheria. Sore Throat is positively relieved in a few doses if taken regularly. \* \* \* Quinsy: An acute inflammation of the tonsil with fever. \* \* \* will reduce the inflammation immediately and bring down the fever, and end the condition within a few days. Tonsillitis: Inflammation of the tonsils. This condition will be relieved in a few days \* \* \* Apthea: Small, white ulcers on mouth will disappear after a few doses of \* \* \* Spru and Baby's Sore